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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT 17 2017

SEAN F. McAVOY, CLERK  
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SPOKANE, WASHINGTON

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JAMES T. MCGUIRE and  
15 DAVID R. BISHOP JR.,

16 Defendants.

2:17-CR-182-TOR

INDICTMENT

Vio: 21 U.S.C. § 846

Conspiracy to Possess with the Intent  
to Distribute – Methamphetamine and  
Heroin (Count 1)

Vio: 21 U.S.C. § 841(a)(1),  
841(b)(1)(A)(viii), 18 U.S.C. § 2 –  
Possession with Intent to Distribute 50  
Grams or More of Actual  
Methamphetamine (Count 2)

Vio: 21 U.S.C. § 841(a)(1),  
841(b)(1)(B)(i), 18 U.S.C. § 2 –  
Possession with Intent to Distribute  
100 Grams or More of a Mixture or  
Substance Containing a Detectable  
Amount of Heroin (Count 3)

Forfeiture Allegations: 21 U.S.C.  
§ 853

1 The Grand Jury Charges that:

2 COUNT 1

3  
4 Beginning on a date unknown but at least by on or about April 8, 2017, and  
5 continuing to on or about May 5, 2017, in the Eastern District of Washington, the  
6 Defendants JAMES T. MCGUIRE and DAVID R. BISHOP JR., did knowingly and  
7 intentionally combine, conspire, confederate and agree together with each other and  
8 with other persons, both known and unknown, to commit the following offenses  
9 against the United States, to wit: possession with the intent to distribute 50 grams or  
10 more of actual Methamphetamine, a Schedule II controlled substance, in violation of  
11 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii), and possession with the intent to distribute 100  
12 grams or more of a mixture or substance containing a detectable amount of Heroin, a  
13 Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(i); all  
14 in violation of 21 U.S.C. § 846.

15  
16 COUNT 2

17  
18 On or about May 5, 2017, in the Eastern District of Washington, the Defendants  
19 JAMES T. MCGUIRE and DAVID R. BISHOP JR., knowingly and intentionally  
20 possessed with intent to distribute 50 grams or more of actual Methamphetamine, a  
21 Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii)  
22 and 18 U.S.C. § 2.

COUNT 3

On or about May 5, 2017, in the Eastern District of Washington, the Defendants JAMES T. MCGUIRE and DAVID R. BISHOP JR., knowingly and intentionally possessed with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of Heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(i) and 18 U.S.C. § 2.

NOTICE OF CRIMINAL FORFEITURE

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853.

2. Pursuant to 21 U.S.C. § 853, upon conviction of an offense(s) in violation of 21 U.S.C. §§ 841(a)(1), 846, as set forth in Counts 1, 2, and 3 of this Indictment, the Defendants JAMES T. MCGUIRE and DAVID R. BISHOP JR., shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any of the forfeitable property described above, as a result of any act or omission of the Defendant:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

1 the United States of America shall be entitled to forfeiture of substitute property  
2 pursuant to 21 U.S.C. § 853(p).

3  
4 DATED this 17<sup>th</sup> day of October, 2017.

5  
6 A TRUE BILL

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